

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

ANTUAN VALENTINO LITTLE,

Petitioner,

v.

WARDEN BRIAN FOSTER,

Respondent.

Case No. 16-CV-805-JPS

**ORDER**

Petitioner filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 on June 24, 2016. (Docket #1). The Court screened his petition on October 20, 2016, and ordered Respondent to answer the petition. (Docket #12). The Court gave Petitioner forty-five days from the date of Respondent's answer to file his brief, which in this case was February 6, 2017. *See* (Docket #21 at 2). Petitioner requested and was granted three extensions of time to file his brief, ultimately making the deadline April 17, 2017. *Id.* at 2–3.

That deadline has passed and, as of the date of this Order, Petitioner has not filed his brief or requested any further extensions of time. In light of Petitioner's failure to comply with the thrice-extended deadline, the Court would generally dismiss this action with prejudice for his failure to prosecute the same. *See* Civil L. R. 41(c). However, the Seventh Circuit commands that dismissal of a *pro se* litigant's case with prejudice should almost always be preceded by a warning. *Fischer v. Cingular Wireless, LLC*, 446 F.3d 663, 665 (7th Cir. 2006). Thus, the Court issues this order as his warning: if Petitioner does not submit his brief in support of his petition within seven (7) days of the date of this Order, this action shall be dismissed without further notice.

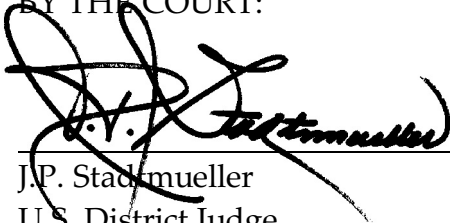
Because he has already been given over two months' worth of extensions to-date, **no further extensions of this deadline will be granted.**

Accordingly,

**IT IS ORDERED** that Petitioner shall file his brief in support of his petition **within seven (7) days** of the date of this Order. Respondent may file an opposition brief within forty-five days of receipt of Petitioner's brief, and Petitioner shall have thirty days after receipt of the opposition brief to file a reply, if any.

Dated at Milwaukee, Wisconsin, this 21st day of April, 2017.

BY THE COURT:



J.P. Stadmueller  
U.S. District Judge